THE HON'BLE MS JUSTICE G. ROHINI

W.P.No.17992 of 2006

Dated: 30-08-2006

Between:

A.P.Central Power Distribution Company Ltd., SCADA (North) Mint Compound, Hyderabad, rep. by its Superintending Engineer (Elec) Operation circle V. Pandu Ranga Murthy.

..Petitioner

and

The Regional P.F. Commissioner, E.P.F. Organization, Regional Office, Barkatpura, Hyderabad.

..Respondent.

THE HON'BLE MS JUSTICE G. ROHINI

W.P.No.17992 of 2006

ORDER:

This writ petition is filed seeking a declaration that the order dated 20-07-2006 passed by the respondent directing the petitioner to pay a sum of Rs.11,27,597/- under Section 7Q and 14B of the Employees Provident Fund and Miscellaneous Provisions Act, 1952 (for short 'the Act') as arbitrary and illegal.

Though the learned counsel for the petitioner raised various contentions, the learned Standing Counsel appearing for the respondent at the outset raised an objection as to the maintainability of the writ petition, contending that against the impugned orders an alternative remedy of appeal is available under Section 7-I of the Act. I find force in the said submission of the learned Standing Counsel for the respondent. Since an efficacious alternative remedy of appeal is available under the statute, the petitioner cannot maintain the writ petition without exhausting the said alternative remedy.

Accordingly, the writ petition is disposed of granting leave and liberty to the petitioner to prefer an appeal against the impugned order within a period of four weeks from the date of receipt of a copy of this order. It is further ordered that the

operation of the impugned proceedings shall remain stayed, pending such appeal, subject to the condition that the petitioner deposits half of the amounts demanded under the impugned proceedings, within a period of six weeks from today.

The Writ Petition is accordingly disposed of. No costs.

_

_____

G. ROHINI, J

Dated: 30-08-2006

sj